

Little Compton Taxpayers Association

PO Box 455
Adamsville, RI 02801
www.LCTaxpayers.com

December 17, 2010

Federal Election Commission
attn: General Counsel's Office
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 6436

Dear Sirs:

Note: The MUR 6436 letter was received on December 5, 2010

Speaking for the Little Compton Taxpayers Association (LCTA) as its chairman, it is our contention that no action should be taken against the LCTA for the following reasons:

1. The complaint as filed clearly indicates that the LCTA is not a registered Political Action Committee (PAC). That is settled accurately because the LCTA is a non-profit corporation registered with the Secretary of State's office in Rhode Island. Our Constitution (Attachment 1, Section 2) states: "The LCTA is a non-partisan association and shall not align with any political parties, either directly or indirectly." As an illustration of this, Attachment 2 is submitted. It is our newsletter that was mailed to every member in Little Compton dated October 27, 2010, in which we published a sample ballot and recommended Republicans, Democrats, and Carol Moore party members. Our primary concern was the election of people at all levels in government who we believe would align themselves with our philosophy of low taxes and small government, and nothing to do with a political party.
2. The FEC Campaign Laws appear to focus on "political committees" primarily engaged in influencing the nomination for election, or election, of any individual to Federal office. The LCTA is an organization whose purpose is to monitor, analyze, suggest, and take positions on any matters pertaining to taxes, public spending, and public policy affecting taxes and spending (Attachment 1, Section 1). During every year, we publish several newsletters covering a plethora of subjects, but all involving taxes and spending. We do this to educate the townspeople on financial matters that concern them. This includes the identification of office holders or candidates for office who voters should either support or avoid as a function of their positions on taxes.
3. The filing of this complaint appears to be aimed at stifling our freedom of speech presumably because the complainant does not share our philosophies. We have been organized since 1990 which included a period where the complainant was a member of the Little Compton Town Council. It was very evident then as it is now that the complainant intensely dislikes the LCTA and is now engaging in frivolous and wasteful actions at the federal level to silence us at the local level.

It is requested that MUR 6436 be dismissed with regard to the Little Compton Taxpayers Association. We have not violated any laws regarding the election held on November 2, 2010.

Robert Hayden, Chairman
Little Compton Taxpayers Association
PO Box 455
Adamsville, RI 02801

RECEIVED
FEDERAL ELECTION
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COUNSEL

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CONSTITUTION OF THE LITTLE COMPTON TAXPAYERS ASSOCIATION

ARTICLE I - Name

Section 1 - The Association will be known as, The Little Compton Taxpayers Association (LCTA).

ARTICLE II - Purpose

Section 1 - The purpose of the LCTA is to monitor, analyze, suggest, and take positions on any matters pertaining to taxes, public spending, and public policy affecting taxes and spending. The LCTA's motto is "We want to get what we pay for and pay for only what we need."

Section 2 - The LCTA is a non-partisan association and shall not align with any political parties, either directly or indirectly. The LCTA may identify individuals for elective office based only on their positions relative to Town spending and taxation. The LCTA may donate funds only to other taxpayer associations.

ARTICLE III - Membership

Section 1 - Any taxpayer or resident (full time or part time) of the Town of Little Compton, Rhode Island shall be eligible for membership.

Section 2 - The qualification for voting membership shall be the payment of dues as established at the Annual Meeting and compliance with the regulations set forth herein.

Section 3 - Any member may resign from the LCTA by submitting a written resignation to the Secretary.

Section 4 - Contributions and donations to the LCTA may be made by anyone in any amount.

ARTICLE IV - Governance

Section 1 - The LCTA shall be governed by the Executive Board consisting of the, Chairman, 1st Vice-Chairman, 2nd Vice-Chairman, Secretary, and Treasurer.

Section 2 - The LCTA shall have a Board of Directors that will consist of eleven (11) members; the five (5) members of the Executive Board and six (6) from the membership at large.

Section 3 - The members of the Board of Directors shall be elected by the membership at the Annual Meeting of the LCTA.

Section 4 - The Executive Board shall have general supervision of the affairs of the LCTA between meetings of the membership, shall fix the hour and place of meetings, shall make recommendations to the membership, and shall perform such other duties as are specified in this Constitution. The Executive Board shall be subject to this Constitution and to the orders of meetings of the membership, and none of its acts shall conflict with actions taken by the membership. Any public statement must first be approved by a majority of the Executive Board.

Section 5 - If any member of the Board of Directors does not serve out his or her full term, the replacement shall be by the appointment of the remaining Board of Directors with a vote by simple majority.

Section 6 - No member of the Board of Directors shall draw a salary from the Town of Little Compton or any Department thereof. No member of the Board of Directors shall hold an elected or appointive office in the Town of Little Compton without the prior written approval of two-thirds (2/3) of the Board of Directors. Such exceptions shall be disclosed to the membership during the Annual Meeting.

Section 7 - The Board of Directors shall have the right to elect its own officers with appropriate titles of its own choosing.

Section 8 - The duties and titles of the members of the Executive Board and the Board of Directors are to be as usually contained in general usage. The Executive Board shall have as its responsibility the operation of the LCTA. The Board of Directors shall act as oversight and as a policy making body for the Executive Board.

Section 9 - A Nominating Committee of five (5) members from the membership at large shall be appointed by the Executive Board at least thirty (30) days prior to the Annual Meeting. It shall be the duty of this Committee to nominate candidates for the offices to be filled at the Annual Meeting. The Nominating Committee shall report its nominations at the Annual Meeting where additional nominations may be made from the floor.

Attachment (1)

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ARTICLE V - Removal of Directors and Executives

Section 1 - The removal of Directors and Executive Board members shall be by the vote of two thirds (2/3) of the Directors at two (2) consecutive meetings at least one (1) month apart. The notice to take such action will be in writing and be given to every member of the Board ten (10) days prior to the first meeting.

ARTICLE VI - Meetings

Section 1 - A regular meeting of the membership shall be held as close as possible to the Annual Financial Town Meeting for the purpose of establishing the LCTA's policy, strategy, and tactics.

Section 2 - There shall be an Annual Meeting of the LCTA held every year in the month of September. The Annual Meeting agenda will be set by the Executive Board with the advice and consent of the Board of Directors. The meeting agenda will contain at least the following items and reports to the membership at large.

- Financial Status - To include receipts, expenditures and the present balance. The report should contain sufficient detail that the financial status of the Association is clear to the membership.
- Membership Status - Status and demographic data on the membership.
- Open Discussion - Any and all comments, reports, ideas, and suggestions from the membership at large without further qualification.
- Election of Directors and Officers

Section 3 - The Board of Directors shall meet at least once per quarter or at the behest of at least three (3) members of the Board of Directors.

Section 4 - Special meetings may be called by the President or by the Executive Board and shall be called upon written request of ten (10) members. The purpose of the meeting shall be stated in the call. Except in case of emergency, at least three (3) days' notice shall be given.

Section 5 - Fifteen (15) members shall constitute a quorum.

ARTICLE VII - Committees

Section 1 - LCTA committees, standing or special, shall be appointed and abolished as the Executive Board shall, from time to time, deem necessary to carry on the work of the LCTA. The President shall be ex officio a member of all committees except the Nominating Committee.

ARTICLE VIII - Parliamentary Authority

Section 1 - The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the LCTA in all cases to which they are applicable and in which they are not inconsistent with this Constitution or with any special rules of order which the membership may adopt.

ARTICLE IX - Amendments to the Constitution

Section 1 - This Constitution may be amended at any meeting of the voting membership by a two-thirds (2/3) vote provided that the amendment has been submitted in writing at the previous membership meeting and that the proposed amendment petition is signed by at least fifteen (15) voting members.

LITTLE COMPTON TAXPAYERS ASSOCIATION

• • NEWSLETTER • •

PO Box 455, Adamsville, RI 02801

E-Mail: Taxpayers@cox.net Web: www.LCTaxpayers.com

Officers

Chairman: Bob Hayden
1st Vice Chair: Roy Bonner
2nd Vice Chair: Joe Quinn
Sec/Treas: Roger Lord

October 27, 2010 Vol: XI, No. 1

SPECIAL EDITION - ELECTIONS & THE SCHOOL

This special newsletter focuses on the November election and the school project that started with \$500,000 in safety repairs/upgrades and has now grown into a staggering \$45 Million project at a time where both the United States and Rhode Island are in the worst financial situation since the Great Depression.

ELECTION: On Tuesday, November 2, 2010, local, state, and congressional elections will be conducted. This is your chance to change the course of the town, Rhode Island, and Washington. If you think we are experiencing bad economic times now, watch how bad things can really get if you vote for "more of the same" with those politicians who have already sold us down the river. The following SAMPLE ballot is our voting recommendations for trying to save the sinking ship.

Sample Ballot

STRAIGHT PARTY To vote a "Straight Ticket" complete the arrow pointing to the party of your choice.		ATTORNEY GENERAL FOUR Year Term Vote for 1		TOWN COUNCIL TWO Year Term Vote for 5	
MODERATE	←	Christopher H. LITTLE	←	Charles N. APPLETON, JR.	←
DEMOCRAT	←	Peter F. NIMMARTIN	←	Fred M. BODINGTON, II	←
REPUBLICAN	←	Erik B. WALLIN	←	Paul J. GOLESBESKE	←
		Kevan A. McKENNA	←	Gary B. MATTARONAS	←
		Robert E. RAINVILLE	←	Robert L. MUSHEN	←
		GENERAL TREASURER FOUR Year Term Vote for 1		TOWN TREASURER AND COLLECTOR OF TAXES TWO Year Term Vote for 1	
		Gina M. RAIMONDO		Joseph M. HARRINGTON	
		Kernan F. KING		David A. BEAUCHEMIN	
		Senator in GENERAL ASSEMBLY DISTRICT 12 TWO Year Term Vote for 1		SCHOOL COMMITTEE FOUR Year Term Vote for 5	
		Louis P. DIPALMA		Joseph M. QUINN	
		Representative in GENERAL ASSEMBLY DISTRICT 11 TWO Year Term Vote for 1		David A. BEAUCHEMIN	
		George S. ALZAIBAK		Donald T. GOMEZ	
		Daniel P. GORDON, JR.		Michael J. HARRINGTON	
		TOWN MODERATOR TWO Year Term Vote for 1		ASSESSOR OF TAXES SIX Year Term Vote for 1	
		Lawrence G. ANDERSON		Robert H. GOFF, JR.	
		TOWN CLERK TWO Year Term Vote for 1			
		Carol A. VIOBEL			
LIEUTENANT GOVERNOR FOUR Year Term Vote for 1					
Elizabeth M. MCANIS					
Robert P. VERHAGEN					
Robert J. HEALEY, JR.					
SECRETARY OF STATE FOUR Year Term Vote for 1					
A. Ralph MOLLIS					
Catherine Terry TAYLOR					

We recommend voting as shown on the left. It's in your best interest.

Council: John Loughlin: Conservative skilled legislator; Motchan: pro-life family man; member LCTA. As mayor, David Cicilline has been a financial disaster for Providence.

Governor: John Robitaille has all the qualities one would want in a governor.

The others are either part of the liberal regime or wish to be part. The state is dominated by a single party. Washington has shown how disastrous that can be.

Sec State: Catherine Taylor brings new blood and new ideas... Ralph Mollis is part of the machine that has driven RI to near bankruptcy.

Attorney General: Enough with the deals and looking the other way. Erik Wallin brings new hope to that office.

Senator: Do not vote for Louis DiPalma even though he is supposed. He is paid for and owned by unions and has sold the towns and cities down the river.

Representative: Dan Gordon should replace John Loughlin to retain our financial interests and to avoid further financial collapse in RI.

Moderator, Clerk, Council, Treasurer: These people have all done an outstanding job. Keep them.

School Committee: Change of command needed. Michael Harrington is a financial disaster for Little Compton. VOTE HIM OUT! See related story inside.

Tax Assessor: We have no opinion of Robert Goff as Tax Assessor. He has no relative experience for us to judge.

Questions On Ballot: Vote NO on 1,2,3,4... they all spend money - your money - the state doesn't have. As for local question #5, vote NO. Leave it as an elected office and not appointed. The Town Council has enough power. Too many risks with appointees.

Attachment (2)

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Mike Harrington, Financial Disaster: Attorney Michael Harrington is seeking reelection to the Little Compton School Committee of which he is now chairman. We believe his performance as a member and then chair of the School Committee has produced a record that disqualifies him from any position on the committee. As the old saying declares, "Let's look at the record".

- Led a group at the 2005 Financial Town Meeting to add \$600,000 to the school budget - money that the school committee didn't need, had not requested, and had no plan to use. He was verbally abusive to the moderator and refused repeated attempts to leave the microphone. He instigated a lawsuit in Superior Court against the Town Moderator that was later dismissed. The voters of the town found a three night battle to repulse this affront to their pocket books.

- Took specific action to drive Superintendent Harold Devine out of the job because Devine was instrumental in outsourcing student transportation. Although outsourcing has already saved the taxpayers hundreds of thousands of dollars, the Union was angry and Devine had to go. Harrington was right there to do their bidding. Thus, the best Superintendent that Little Compton ever had is now gone. All one needs to do to verify this is to look at the wording that Harrington put into Devine's contract: "There shall be no extension of this contract." This language had never been used in any previous Superintendent's contract. When asked at a School Committee meeting whether there was any interest in extending Dr. Devine's contract, Harrington's response was "NO". And now Harrington has the raw nerve to take Devine's accomplishments, call them his own, and use them for his own political gain.

- Following the bizarre 2008 election, Mr. Harrington was elected Chairman of the committee. During his first days he hired a new teacher for the first grade. His reason? Unruly boys who were hard to control. Were the parents notified? Were the unruly boys disciplined? The solution was more expense to the town's taxpayers. This is a typical liberal solution... throw money at the problem. Somebody else's money, of course. Cost to the taxpayers so far: \$200,000.

- Next in line was all day kindergarten. All day kindergarten is not without controversy since developmentally many children find coping with an all day program too rigorous for their still developing skills and mental capacity. Harrington appointed a sub-committee to explore all day kindergarten. They NEVER held a meeting. Some have referred to it as "baby sitting" to permit working parents to save on child care. None the less, after years of half day "K", Harrington hired more teachers!

- The most recent outrage is the suggestion, spearheaded and voted upon by Mr. Harrington, of a \$45,000,000 school building program by a committee with three members of the school committee as members! Objectivity? Out the window! Saddling our citizens with 20 years of debt does not have any consequence in his mind. Note: the efforts of former Superintendent Devine produced a sustained high performing school. The school needs maintenance - long ignored - but a \$45,000,000 mortgage as a solution? The more than \$30,000 maintenance budget for this year has not been touched in anticipation of a new school being built. More neglect!

- Chairman Harrington has conducted numerous "executive sessions" behind closed doors without a vote of the committee in "open session" as required by the Open Meetings Act (OMA). Proper minutes of many meetings were never recorded in compliance with the Secretary of State's Office. The practice changed following a citizen complaint.

- Mr. Harrington conducted a meeting of the school committee on this year's Memorial Day to fund a \$186,000

contract with DB Architects to develop plans for expanding and refurbishing the school. The Attorney General's Office recently ruled that the meeting was a violation of the law because it was not advertised in any newspaper as required. Mr. Harrington is a lawyer, he should know better. By approving the contract, the Harrington-led committee hired the least experienced, most expensive firm of the top three choices of the Building Committee. And the public wasn't told ahead of time about it.

- When asked if there was an alternative plan should the now \$45 Million project vote fail, he said, "There is no plan B." Looks like the chickens have come home to roost.

So what does this record suggest? It suggests a spending spree beyond all rational needs that serves the Unions and not the taxpayers. All of us have seen this at the state and national levels and now we have it right here in Little Compton. That's the bottom line on how Mr. Harrington has performed. In the private sector he'd be fired. Remember in November!

\$45M School Project: Former Fire Chief Harry Hallgring conducted a long overdue fire safety inspection of the Wilbur & McMahon School in August 2005. He found an assortment of



"life safety code" discrepancies. The estimated cost for compliance was \$100,000. This price tag "shocked" the School Committee. Since then, the Committee has been conducting study after study such

that now it wants to impose a \$45 Million project on the taxpayers of Little Compton!

Currently, a School Building Committee consisting of an unwieldy 18 members has decided that this is the way to go with no apparent concern for affordability. There are problems in the school that need to be addressed, but \$45 Million is too costly for a small town such as Little Compton. There are less expensive solutions, but they aren't as attractive or pleasing to the group of myopic elites. And the School Committee, with the exception of Joe Quinn, has blindly accepted this project despite its cost and complexity.

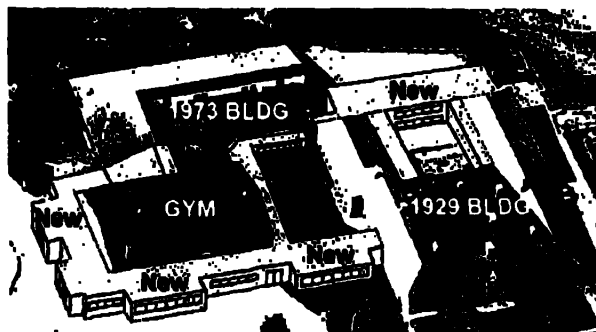
The Building Committee is applying to the RI Department of Education (RIDE) for a subsidy that they believe will be 42%. That means the taxpayers' share will be \$28 Million. Does that make you feel any better? But will the Town get the RIDE money? The State was just barely able to balance its books this year largely because of federal "stimulus" money. Not so next year! Will the General Assembly be in mood to agree to pay Little Compton \$17 Million? Are you willing to pay the full price if they don't appropriate the money?

The Plan

The following is what the Building Committee wants to do:

- Demolish the 1991 additions that the town just finished paying for.
- Put up new buildings to increase the floor space from 59,000 sq-ft to 72,000 sq-ft (+23%) even though student population is projected to drop 18% over the next decade.
- Move the baseball field to the West by 20-feet and turn it into a Little League field.
- Construct a handicap accessible pathway from the athletic fields and parking lots to the school.
- Move the privately funded public playground to Veteran's Field in order to make room for parking.
- Renovate those areas that are not demolished.
- Build a new cafeteria and kitchen in front of the gym.

Conceptually, the school will be reconfigured as shown below. The new sections are shown in orange.



Dollars & Sense

The school project pushed by the School Committee (in a 4-to-1 vote) would require a 20-year loan with a total estimated cost of \$45,399,137 over 20 years (using numbers provided by the Building Committee). Assuming that RIDE provides 42% of that amount, the Town would pay out \$26,331,500 over the same time period. That would add \$1,316,575 per year to the Town's annual property tax budget. The current income from property taxes is \$9,849,172. The increase due to the school project represents a 13% tax hike. Add the expected 4% tax increase for the regular budget and the Town faces a...

17% tax hike!

In the economic climate we now live in, who can afford that for the next 20 years? And this assumes that RIDE provides its share of the cost. If it doesn't, the increase becomes 27%. This does not make sense. It is, by far, the largest and most continuous expense ever in the history of Little Compton. The debt that it would place on the citizens for the next 20 years is nothing short of staggering.

Your Taxes

There are many ways to look at the tax impact from this very expensive project on you. Here are a few ways to do so.

Tax increase based on home value: The following chart shows the annual property tax increase based upon the value that the Tax Assessors have placed on your home.

With RIDE Money	With NO RIDE Money
\$200K Home.....\$142	\$200K Home.....\$246
\$300K Home.....\$213	\$300K Home.....\$369
\$400K Home.....\$284	\$400K Home.....\$492
\$500K Home.....\$355	\$500K Home.....\$615
\$600K Home.....\$426	\$600K Home.....\$738
\$700K Home.....\$497	\$700K Home.....\$861
\$800K Home.....\$568	\$800K Home.....\$984

20-Year payout based on home value: The following chart shows the total 20-year payout based upon the value that the Tax Assessors have placed on your home.

With RIDE Money	With NO RIDE Money
\$200K Home.....\$2,840	\$200K Home.....\$4,920
\$300K Home.....\$4,260	\$300K Home.....\$7,380
\$400K Home.....\$5,680	\$400K Home.....\$9,840
\$500K Home.....\$7,100	\$500K Home.....\$12,300
\$600K Home.....\$8,520	\$600K Home.....\$14,760
\$700K Home.....\$9,940	\$700K Home.....\$17,220
\$800K Home.....\$11,360	\$800K Home.....\$19,680

Annual Tax Bill: The following chart shows the impact on your actual tax bill based upon the value that the Tax Assessors have placed on your home.

	Current Bill	New Bill With RIDE \$	New Bill No RIDE \$
\$200K Home	\$1,066	\$1,208	\$1,312
\$300K Home	\$1,600	\$1,812	\$1,968
\$400K Home	\$2,132	\$2,416	\$2,624
\$500K Home	\$2,665	\$3,020	\$3,280
\$600K Home	\$3,198	\$3,624	\$3,936
\$700K Home	\$3,731	\$4,228	\$4,592
\$800K Home	\$4,264	\$4,832	\$5,248

These tables do not take into account the annual tax hikes that will occur in the regular budget. Either way you look at it, this project will cost the taxpayers a lot of money keeping in mind that the "RIDE money" is also your tax dollars. And this analysis does not even consider townspeople with low or fixed income who can barely make ends meet today.

And the School Committee does not care!

A \$45 Million cost for a town of 3,600 people equates to over \$12,600 per person for a "super" school that has not been proven necessary! Does this make sense?

Alternatives

As stated earlier, there are physical problems in the school that need to be addressed. There is no denying it. But the School and Building Committees turn away from renovation as a vampire avoids sunlight. They have closed their minds to viable alternatives.

One alternative that has been around for quite some time is to renovate the existing structure. It's significantly less expensive and can be done over a period of 6 to 10 years on a "pay as you go" basis - no loans, no interest. It's referred to negatively as "band aids" by the Building Committee. A new sprinkler system is not a band aid. New boilers, plumbing, electrical systems, roofs, etc. are NOT band aids! And renovation of an existing structure allows the school to continue to operate without having to expand the floor space in accordance with RIDE "guidelines" (they are not hard, fast laws!).

This approach does not require moving ball fields and playgrounds and doesn't involve demolition of perfectly good portions of the building. The cost of this approach is between \$10 and \$15 Million over a 6-to-10 year period taking care of all things that need to be repaired. It would cost less if some of the more "would like to have" things were eliminated.

One additional idea going around town is to change Wilbur from K-thru-8 to K-thru-6 and send the 7th and 8th graders to wherever the high schoolers go. That frees up space and lands itself to lower operating costs for the town.

This situation is still developing and the Taxpayers Association will continue to monitor it. We feel that the case for a \$45 Million school has not been made or justified. The case for renovation is a good one and the estimated cost to do so needs to be estimated more completely and honestly. We have serious doubts about the objectivity of the present School Committee and the Building Committee to achieve that goal; their performance to date has been a disappointment and their attitude can best be described as "tune deaf."

 **Vote! November 2nd!**

Little Compton Taxpayers Association
PO Box 455
Adamsville, RI 02801

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**** TAXPAYERS ASSOCIATION NEWSLETTER ****

LITTLE COMPTON TAXPAYERS ASSOCIATION MEMBERSHIP FORM (Vol. X, No. 2)

NAME _____ DATE _____
(For couples, please provide both first names)

OFFICE PHONE _____ FAX _____

EMAIL _____

Local Home Address → ☐ Check if year-round address

ADDRESS _____

CITY/TOWN _____ STATE _____ ZIP CODE _____

HOME PHONE _____

Second Home Address → From _____ To _____ (Month/Day)

ADDRESS _____

CITY/TOWN _____ STATE _____ ZIP CODE _____

HOME PHONE _____

SUGGESTED CONTRIBUTION: \$15 (Single) \$25 (Family) \$ _____ (Other)

Mail this form and your contribution to:

Little Compton Taxpayers Association
PO Box 455
Adamsville, RI 02801

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